

FILEDUNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

UNITED STATES DISTRICT COURT

OCT 01 2019

for the

District of NEW MEXICO

MITCHELL R. ELFERS
CLERK OF COURT

Division

Case No.

19cv-927

(to be filled in by the Clerk's Office)

THOMASS MOWREY

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

STATE OF NEW MEXICO

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	THOMAS MOWREY
Street Address	POST OFFICE BOX 225
City and County	DEMING LUNA
State and Zip Code	NEW MEXICO 88031
Telephone Number	2258889089
E-mail Address	mowreyaz@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name	STATE OF NEW MEXICO
Job or Title (<i>if known</i>)	GOVERNMENT STATE NEW MEXICO ATTORNEY
Street Address	201 NORTH CHURCH STREET # 315
City and County	LAS CRUSUS DONA ANA
State and Zip Code	NEW MEXICO 88001
Telephone Number	575 339 1120
E-mail Address (<i>if known</i>)	

Defendant No. 2

Name	MICHELLE LUJAN GRISHAM
Job or Title (<i>if known</i>)	GOVERNOR STATE OF NEW MEXICO
Street Address	490 OLD SANTA FE TRAIL # 400
City and County	SANTA FE
State and Zip Code	NEW MEXICO 87501
Telephone Number	505 476 2200
E-mail Address (<i>if known</i>)	

Defendant No. 3

Name	
Job or Title (<i>if known</i>)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (<i>if known</i>)	

Defendant No. 4

Name	
Job or Title (<i>if known</i>)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

E-mail Address (if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

28 U.S.C 1983

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) _____, is a citizen of the
State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of

the State of (name) _____ . Or is a citizen of
(foreign nation) _____ .

b. If the defendant is a corporation

The defendant, (name) _____ , is incorporated under
the laws of the State of (name) _____ , and has its
principal place of business in the State of (name) _____ .
Or is incorporated under the laws of (foreign nation) _____ ,
and has its principal place of business in (name) _____ .

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

VIOLATIONS OF 28 C.F.R. PART 36 28 U.S.C. 1983

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

DEMING NEW MEXICO AT THE SOUTHERN NEW MEXICO STATE FAIR GROUNDS
PLAINTIFF HAS REQUESTED ON OCCASIONS TO REQUEST THAT THE STATE FAIR
GROUNDS AND OTHE BUILDINGS OPEN TO THE PUBLIC BE REMIDIED TO COMPLY WITH
THE FEDERAL ADA LAWS OF IN WHOLE OR PART OF THE LAW OF 28 C.F.R. PART 36
WITH NO AVAIL. PLAINTIFF IS SEEKINF A LAWSIUT AGAINST THE STATE OF NEW
MEXICO 33 COUNTIES AND 105 MUNIPALITIES AT AT FUTURE DATE AS THE PLAINTIFF
IS A PRO SE FILER

B. What date and approximate time did the events giving rise to your claim(s) occur?

APRIL 2 2018 AND EACH AND EVERY MONTH AS OF THIS DATE TO PRESENT

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- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

I THOMAS MOWREY BEING A RESIDENT OF THE STATE OF NEW MEXICO AND OF LUNA COUNTY, HAVE REQUESTED ON MULTIPLE TIMES FOR THE STATE OF NEW MEXICO TO MAKE THE REMEDIES TO THE STATE OWNED PROPERTY SUCH AS THE SOUTHERN NEW MEXICO FAIR GROUNDS TO BECOME COMPLIANT WITH THE LAWS GOVERNING THE APPLICATION TO THE ADA LAWS.

state of new mexico official have informed myself that the state will make repairs and bring it within the time allowed, when asked about the time allowed to make said property ada compliant with the law under federal statute i the plaintiff was informed that when they get around to it.

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

BY THE STATE BEING NEGLIGENT IN UN-ENFORCED OR COMPLIANT WITH THE LAWS UNDER ADA 28 C.F.R. PART 36 IN WHOLE OR PART THEREOF; PLAINTIFF AND OTHER PERSONS OR PERSON WITH A MOBILITY DISABILITY WOULD NO DOUBT BE AFFECTED BY THE UNLAWFUL USE OF THE STATE FAIRGROUNDS IN LUNA COUNTY; THE STATE WILL BE UNLAWFUL TO OPEN AND OPERATE ANY AND ALL PARTS OF THE STATE FAIR WILL BE IN CLEAR VIOLATION OF THE LAW.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

PLAINTIFF IS DEMANDING THAT THE STATE OF NEW MEXICO MAKE READY ALL THE PROVISIONS IN WHICH IS UNDER THE ADA LAWS TO CONFORM WITH SAID PRIOR TO ANY AND ALL OPEN TO THE PUBLIC AREAS WITHIN THE COMPLEX OF THE SOUTHERN NEW MEXICO STATE FAIR; PLAINTIFF ALSO WILL BE SEEKING MONOTARY RELEIF FOR VIOLATION OF THE PLAINTIFFS CIVIL RIGHTS UNDER THE 14TH AMENDMENT OF BILL OF RIGHTS.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/01/2019

Signature of Plaintiff

Printed Name of Plaintiff

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

E-mail Address
